

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

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**SECURITIES AND EXCHANGE  
COMMISSION,**

**Plaintiff,**

**v.**

**Civil Action No. 08 Civ. 6609**

**ONE OR MORE UNKNOWN PURCHASERS  
OF CALL OPTIONS FOR THE COMMON  
STOCK OF DRS TECHNOLOGIES, INC.  
AND AMERICAN POWER CONVERSION  
CORP.,**

**Defendant.**

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**SECOND DECLARATION OF KEVIN GUERRERO**

I, Kevin Guerrero, pursuant to 28 U.S.C. § 1746, declare as follows:

1. I am a member in good standing of the Arizona and Ohio State Bars and make this declaration on my own personal knowledge and information based upon my involvement as one of the attorneys for Plaintiff, United States Securities and Exchange Commission ("Commission"), in the matter captioned above. I am a Senior Counsel with the Commission and, as part of my daily activities, I investigate possible violations of the federal securities laws.

2. I submit this Declaration in support of the Commission's Memorandum in Support of Application for Extension of Temporary Order Freezing Assets and Granting Other Relief.

3. The Commission began this investigation concerning suspicious trading in the securities of DRS Technologies, Inc. ("DRS") on Friday, May 9, 2008, and continues to investigate this matter. During the course of this investigation, I have been an attorney working

on the matter. The facts set forth herein are based upon my personal knowledge or upon information contained in the files of the Commission.

4. My first declaration in this proceeding, dated July 24, 2008, was submitted to the Court in support of the Commission's Memorandum in Support of Application for an Ex Parte Temporary Restraining Order Freezing Assets and Granting Other Relief, and for an Order to Show Cause Why a Preliminary Injunction Should Not Issue.

5. Since that time, I have been involved in work on the method by which Defendant(s) will be served with a Summons, a copy of the Commission's Complaint, and the Temporary Restraining Order ("TRO") in this matter.

6. To date, I have not learned the identity, address, or nationality of the Defendant(s).

7. On July 28, 2008, the Commission transmitted the Court's TRO and related pleadings to UBS Securities LLC ("UBS Securities"), which executed the trades detailed in the Complaint on behalf of Defendant(s). See Ex. 1. On July 30, 2008, the Commission received confirmation from UBS Securities that the TRO and related documents were sent, via e-mail, to a compliance officer at UBS AG Zurich ("UBS AG"). See Ex. 2. However, UBS Securities did not indicate whether the TRO and other pleadings had been provided to Defendant(s). See id. UBS Securities further stated that it did not know the identity of the customers behind the trades placed through UBS AG. See id.

8. Accordingly, based on the foregoing, I am working to serve the Defendant(s) through UBS AG in Zurich, Switzerland, which handles Defendant(s)' account. In order to do so, under Swiss law I must use the Convention on the Service Abroad of Judicial and

Extrajudicial Documents in Civil or Commercial Matters, signed at The Hague, the 15th of November 1965 ("Hague Convention").

9. Among other things, the Hague Convention requires that documents to be served in Switzerland be translated into the official language of the specific canton where the documents are to be served. A true and correct copy of information related to service in Switzerland under the Hague Convention, available on the website of the Hague Conference on Private International Law, is attached hereto as Exhibit 3.

10. UBS AG is located in the Zurich Canton of Switzerland.

11. The official language of the Zurich Canton is German.

12. On July 31, 2008, I sent copies of the Summons, Complaint, and Temporary Restraining Order to LIS Translations to be translated into German. A representative of LIS Translations has informed me that the translations will be ready by August 11, 2008.

13. On July 31, 2008, the Commission served the summons and complaint upon UBS Securities (via letter inadvertently dated July 28, 2008), and requested that it forward these pleadings to Defendant(s). See Ex. 4.

I declare under penalty of perjury that the foregoing is true and correct.

  
Kevin Guerrero

Executed on August 1, 2008  
Washington, D.C.

# Exhibit 1



DIVISION OF  
ENFORCEMENT

UNITED STATES  
**SECURITIES AND EXCHANGE COMMISSION**  
100 "F" Street, N.E.  
WASHINGTON, D.C. 20549-4010

Jeffery T. Infelise  
Assistant Chief Litigation Counsel  
Telephone: (202) 551-4904  
Facsimile: (202) 772-9245

July 28, 2008

**Via E-Mail and FedEx**

Mr. Alan Brudner, Esq.  
UBS Securities, LLC  
Head of Litigation  
299 Park Ave.  
New York, NY 10171

Re: S.E.C. v. One or More Unknown Persons 08-cv-6609

Dear Mr. Brudner:

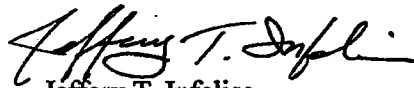
Enclosed with this letter are copies of the documents filed by the Securities and Exchange Commission (the "Commission") in the subject case. On July 25, 2008, the Honorable Alvin K. Hellerstein granted the Commission's request for an *ex parte* Temporary Restraining Order to, among other things, freeze the assets of the one or more unknown purchasers of common stock of DRS Technologies and American Power Conversion Corporation. These purchases were made through the omnibus account known as UBSL A/C Exchange Traded Derivative Account # 452-6020300, and cleared through UBS Securities LLC. The Court's Order is enclosed with this letter.

The Court has scheduled a hearing at 10:00 a.m. on August 5, 2008, in Courtroom 20C and ordered the defendants or their attorneys to appear to show cause why the Court should not enter a preliminary injunction extending the asset freeze until a final disposition on the merits.

The Court's Order also provides that service of the Order and the complaint and all documents filed in support thereof may be served upon UBS Securities LLC as an agent of the undisclosed purchasers. Therefore, please take action to provide copies of the attached pleadings to the undisclosed purchasers and to inform them of the hearing scheduled for August 5, 2008.

If you have any further questions, please feel free to contact me at 202-551-4904 or at [infelisej@sec.gov](mailto:infelisej@sec.gov). Thank you again for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffery T. Infelise".

Jeffery T. Infelise  
Assistant Chief Litigation Counsel

Encl.

cc: Ms. Judith Romaine  
Executive Director, Compliance  
UBS Securities LLC  
201 Tresser Blvd.  
Stamford, CT 06901

# Exhibit 2



UBS Securities LLC  
One Stamford Forum, 201 Tresser Boulevard  
Stamford, CT 06901

www.ubs.com

**CONFIDENTIAL TREATMENT REQUESTED**

July 30, 2008

**Via Email and Overnight Mail**

Jeffrey Infalise  
Assistant Chief Litigation Counsel  
U.S. Securities and Exchange Commission  
100 F St., N.E.  
Washington, DC 20549-4010

RE: SEC v. One or More Unknown Persons 08-cv-6009

Dear Mr. Infalise:

On behalf of UBS Securities LLC ("UBS-S" or the "Firm") I am writing in response to your July 28, 2008 Temporary Restraining Order Freezing Assets and Granting Other Relief and Order to Show Cause Why the Asset Freeze Should Not Continue (the "TRO"). In response to §§I.A. and B. of the TRO, and as described below, UBS-S is unable to freeze proceeds related to the trades referenced on page 3 of your TRO (the "Trades").

As discussed, the Trades were booked into account 452-60203 (the "Account"), which is an omnibus account for customers of UBS AG Zurich. The number and identity of the customers behind the trades in the Account are unknown to UBS-S.

Trades in the Account settle on a net basis between UBS-S and UBS AG Zurich. The Trades in APCC and DRS, which took place in October and November 2006 and May 2008, have settled and the related proceeds have been credited to UBS AG Zurich. There are, therefore, no remaining unsettled proceeds related to the Trades.

As we also discussed, UBS-S forwarded the TRO and related documents that were sent to UBS-S via email on July 28, 2008 to our counterparts in Compliance at UBS AG Zurich. Please note, however, that UBS-S is not an agent of the unknown purchasers and service upon UBS-S does not constitute service upon the unknown purchasers.

Should you have any questions about the information set forth in this letter, please call me at 203-719-4751.

This letter and the information contained in it are solely for the SEC's use with the understanding that UBS-S believes that business confidentiality pertains to each page of the letter and the information contained therein. The letter and the information contained therein are considered to be confidential information that is commercially valuable and, as such, constitutes or contains trade secrets, the disclosure of which may not only violate proprietary rights and might constitute an invasion of personal privacy, but could also grant competitors of UBS-S an unfair advantage.



Therefore, in accordance with C.F.R. §200.83, we hereby request confidential treatment of this letter and the information contained therein. The letter has been appropriately labeled to indicate the intention to maintain its confidential status.

The letter is submitted with the further request that it be kept in a non-public file and that access to it by any third party who is not a member of the SEC or its staff be denied unless such access is specifically provided by existing law.

UBS-S further requests that in the event process is served upon you or a legal request is made by a third party for the letter or the information provided by UBS-S in this investigation, you make, subject to legal prohibition, a good faith effort to give UBS-S prompt prior notice of the process or request, including the identity of the party seeking production and the nature, scope and timing of the request. Such notice should be given in sufficient time to enable UBS-S to oppose disclosure. Under such circumstances, the undersigned should be telephoned immediately at 203-719-4751.

Sincerely,

A handwritten signature in black ink, appearing to read "Rhonda P. Byrd", written over the printed name.

Rhonda P. Byrd  
Director  
Regulatory Inquiries & Relations  
Compliance Department

CC: FOIA Officer

# Exhibit 3

# Authorities

	Switzerland - Central Authority & practical information
	<div data-bbox="699 304 1018 342" data-label="Section-Header"> <p><b>Central Authority(ies):</b></p> </div> <div data-bbox="444 392 1273 604" data-label="Text"> <p>In accordance with Article 21, first paragraph (a), Switzerland designates the cantonal authorities as Central Authorities as referred to in Articles 2 and 18 of the Convention. Requests for the service of documents may also be addressed to the Federal Justice and Police Department in Bern, which will forward them to the appropriate Central Authority.</p> </div> <div data-bbox="444 636 1143 707" data-label="Text"> <p><i>Cantonal Central Authorities (list up to date as per 23 June 2008)</i></p> </div> <div data-bbox="444 707 1250 919" data-label="Text"> <p>The list of Central Cantonal Authorities including their addresses and phone/fax numbers can be <u>consulted online</u>. To determine the Central Authority competent by reason of its location, the database of the Swiss localities and Courts can be consulted online at the following address:  <a href="http://www.elorge.admin.ch">www.elorge.admin.ch</a>.</p> </div> <div data-bbox="699 982 1015 1018" data-label="Section-Header"> <p><b>Practical Information:</b></p> </div> <div data-bbox="444 1016 1266 1125" data-label="Text"> <p><i>(The following information was provided by the relevant State authorities or was obtained from the replies to the 2003 Service Convention Questionnaire)</i></p> </div> <div data-bbox="444 1482 600 1591" data-label="Text"> <p>Forwarding authorities (Art. 3(1)):</p> </div> <div data-bbox="695 1155 1273 1934" data-label="List-Group"> <ul style="list-style-type: none"> <li>- Les Autorités centrales</li> <li>- Les autorités fédérales : le Tribunal fédéral à Lausanne et à Lucerne, le Tribunal administratif fédéral à Berne, ainsi que l'Institut Fédéral de la Propriété Intellectuelle (IPI) à Berne</li> <li>- Les autorités cantonales : les tribunaux cantonaux supérieurs, les autorités de surveillance en matière de poursuites et de faillites, les tribunaux de district et les offices des poursuites et des faillites. Selon les cantons où elles se trouvent, ces autorités ont les noms suivants: Obergericht, Kantonsgericht, Appellationsgericht, Appellationshof, Zivilgericht, Handelsgericht, Versicherungsgericht, Kreisgericht, Bezirksgericht, Amtsgericht, Friedensgericht, Vermittleramt, Betreibungsamt, Konkursamt, Tribunal cantonal, Cour de justice, Cour civile, Chambre d'assurance, Tribunal d'arrondissement, Tribunal de district,</li> </ul> </div>

Address		Tribunal de 1ère instance, Office des poursuites (et faillites), Camera civile, Camera di esecuzione e fallimenti, Camera cantonale delle assicurazioni, Pretura della giurisdizione di Distretto, Uffici esecuzione e fallimenti.
	Methods of service (Art. 5(1)(2)):	<p>Les principaux modes de signification prévus par les législations cantonales sont la notification par courrier recommandé, par un huissier ou par un agent de police. Dans le Canton de Genève, le destinataire est convoqué au greffe du Parquet pour retirer les actes. S'il ne se présente pas, il est demandé aux Services de police de procéder à la notification.</p> <p>En règle générale, les Autorités centrales notifient les actes selon leurs règles de procédure, à savoir donc de manière formelle, que l'on soit dans le cadre de l'article 5(1) a) ou de l'article 5(2). Lorsque la requête n'est pas accompagnée d'une traduction et que le destinataire refuse d'accepter la notification, l'Autorité centrale ou le Tribunal cantonal compétent en fera mention sur l'attestation et informera l'Etat requérant que la notification doit être effectuée conformément à l'article 5(1) (i.e. formellement au sens de la CLaH65) ; une traduction sera alors exigée (voir la réserve de la Suisse).</p> <p>For more information on methods of service, see "<a href="#">Guidelines Civil Matters</a>".</p>
	Translation requirements (Art. 5(3)):	<p>Switzerland declares that in cases where the addressee does not voluntarily accept a document, it cannot officially be served on him or her in accordance with Article 5(1), unless it is in the language of the authority addressed, i.e. in German, French or Italian, or accompanied by a translation into one of these languages, depending on the part of Switzerland in which the document is to be served (the official languages of every canton are mentioned on the <a href="#">list of Cantonal Central Authorities</a>).</p> <p>Click <a href="#">here</a> to read all the declarations and</p>

	reservations made by Switzerland under this Convention.
Costs relating to execution of the request for service (Art. 12):	<p>Les frais engendrés par les notifications sont, en règle générale, supportés par les autorités suisses d'exécution.</p> <p>La notification est effectuée gratuitement chaque fois qu'aucune forme particulière n'est requise (i.e. chaque fois que la notification est effectuée selon la procédure prévue par les codes cantonaux de procédure civile). Seul l'article 12(2) b) entre ainsi en ligne de compte. Cette disposition n'est invoquée que lorsque l'Etat requérant a émis des souhaits particuliers qui ont donné lieu à des frais.</p> <p>Les sommes réclamées correspondent aux frais encourus. Aucune distinction n'est faite en fonction de l'Etat d'origine.</p>
Time for execution of request:	Entre 2 semaines et 2 mois pour l'exécution de demandes par des autorités suisses.
Oppositions and declarations (Art. 21(2)):	Click <a href="#">here</a> to read all the declarations and reservations made by Switzerland under this Convention.
Art. 8(2):	Opposition
Art. 10(a):	Opposition
Art. 10(b):	Opposition
Art. 10(c):	Opposition
Art. 15(2):	No declaration of applicability
Art. 16(3):	No declaration of applicability
Derogatory channels (bilateral or multilateral agreements or internal law permitting other transmission channels) (Arts. 11, 19, 24 and 25)	To consult bilateral and multilateral treaties to which Switzerland is a party, see: <a href="#">Recueil systématique du droit fédéral</a> .
<b>Disclaimer:</b>	

	<table border="1"> <tr> <td data-bbox="446 157 706 451"> <p><i>Information may not be complete or fully updated – please contact the relevant authorities to verify this information.</i></p> </td><td data-bbox="706 157 1291 451"></td></tr> <tr> <td data-bbox="446 451 706 871"> <p>Useful links:</p> </td><td data-bbox="706 451 1291 871"> <p><u>Guide de l'entraide judiciaire - Office fédéral de la justice – Division de l'entraide judiciaire internationale</u></p> <p><u>International Mutual Judicial Assistance - Federal Department of Justice and Police – Federal Office of Justice</u></p> <p><u>Guidelines Civil Matters (Federal Department of Justice and Police – Federal Office of Justice)</u></p> </td></tr> </table> <p>(This page was last updated on 18 July 2008)</p>	<p><i>Information may not be complete or fully updated – please contact the relevant authorities to verify this information.</i></p>		<p>Useful links:</p>	<p><u>Guide de l'entraide judiciaire - Office fédéral de la justice – Division de l'entraide judiciaire internationale</u></p> <p><u>International Mutual Judicial Assistance - Federal Department of Justice and Police – Federal Office of Justice</u></p> <p><u>Guidelines Civil Matters (Federal Department of Justice and Police – Federal Office of Justice)</u></p>
<p><i>Information may not be complete or fully updated – please contact the relevant authorities to verify this information.</i></p>					
<p>Useful links:</p>	<p><u>Guide de l'entraide judiciaire - Office fédéral de la justice – Division de l'entraide judiciaire internationale</u></p> <p><u>International Mutual Judicial Assistance - Federal Department of Justice and Police – Federal Office of Justice</u></p> <p><u>Guidelines Civil Matters (Federal Department of Justice and Police – Federal Office of Justice)</u></p>				
<p><b>Conventions</b></p>	<ul style="list-style-type: none"> <li>• <u>Convention of 15 November 1965 on the Service Abroad of Judicial and Extrajudicial Documents in Civil or Commercial Matters [14]</u></li> </ul>				



Schweizerische Eidgenossenschaft  
Confédération suisse  
Confederazione Svizzera  
Confederaziun svizra

## Office fédéral de la justice

### Liste des autorités centrales cantonales pour l'entraide judiciaire en matière civile et commerciale

Kanton Canton Cantone Canton	1)	Adresse Adresse Indirizzo Address	Telefon, Fax, Mail Téléphone, fax, courriel Telefono, fax, mail Phone, fax, mail
Aargau (AG)	d	Obergericht des Kantons Aargau Obere Vorstadt 40 5000 Aarau	T: ++41 62 835 38 50 F: ++41 62 835 39 49 <a href="mailto:webmaster.jb@ag.ch">webmaster.jb@ag.ch</a>
Appenzell Ausserrhoden (AR)	d	Kantonsgericht Appenzell A.R.H. Postfach 162 9043 Trogen	T: ++41 71 343 64 10 F: ++41 71 343 64 01 <a href="mailto:kantonsgericht@ar.ch">kantonsgericht@ar.ch</a>
Appenzell Innerrhoden (AI)	d	Kantonsgericht Appenzell I.R.H. Unteres Ziel 20 9050 Appenzell	T: ++41 71 788 95 51 F: ++41 71 788 95 54 <a href="mailto:kantonsgericht@ai.ch">kantonsgericht@ai.ch</a>
Basel- Landschaft (BL)	d	Kantonsgericht Basel- Landschaft Justizverwaltung Postfach 635 4410 Liestal	T: ++41 61 925 65 32 F: ++41 61 925 69 43 <a href="mailto:kantonsgericht.liestal@ger.bl.ch">kantonsgericht.liestal@ger.bl.ch</a>
Basel-Stadt (BS)	d	Appellationsgericht Basel-Stadt Bäumleingasse 1 4051 Basel	T: ++41 61 267 81 81 F: ++41 61 267 63 15 <a href="mailto:appellationsgericht@bs.ch">appellationsgericht@bs.ch</a>
Bern (BE)	d/f	Obergericht des Kantons Bern Rechtshilfe Hochschulstrasse 17 Postfach 7475 3001 Bern	T: ++41 31 634 72 27 F: ++41 31 634 71 13 <a href="mailto:obergericht.bern@jgk.be.ch">obergericht.bern@jgk.be.ch</a>
Fribourg (FR)	f/d	Tribunal cantonal Place de l'Hôtel de Ville 2a Case postale 56 1702 Fribourg	T: ++41 26 305 39 10 F: ++41 26 305 39 19 <a href="mailto:tribunalcantonal@fr.ch">tribunalcantonal@fr.ch</a>
Genève (GE)	f	Parquet du Procureur général Place du Bourg-de-Four 1 Case postale 3565 1211 Genève 3	T: ++41 22 327 26 00 F: ++41 22 327 01 11
Glarus (GL)	d	Obergericht des Kantons Glarus Gerichtshaus Postfach 8750 Glarus	T: ++41 55 645 25 25 F: ++41 55 645 25 00 <a href="mailto:gerichtskanzlei@gl.ch">gerichtskanzlei@gl.ch</a>
Graubünden (GR)	d	Kantonsgericht Graubünden Poststrasse 14	T: ++41 81 257 39 68 F: --

		Postfach 7002 Chur	
Jura (JU)	f	Département des Finances, de la Justice et de la Police Service juridique 2, rue du 24-Septembre 2800 Delémont	T: ++41 32 420 56 30 F: ++41 32 420 56 31 <a href="mailto:secre.jur@jura.ch">secre.jur@jura.ch</a>
Luzern (LU)	d	Obergericht des Kantons Luzern Hirschengraben 16 6003 Luzern	T: ++41 41 228 62 62 F: ++41 41 228 62 64 <a href="mailto:og@lu.ch">og@lu.ch</a>
Neuchâtel (NE)	f	Département de la justice, de la santé et de la sécurité Service de la justice Château 2001 Neuchâtel	T: ++41 32 889 41 10 F: ++41 32 889 60 64 <a href="mailto:service.justice@ne.ch">service.justice@ne.ch</a>
Nidwalden (NW)	d	Kantonsgericht Nidwalden Rathausplatz 1 6371 Stans	T: ++41 41 618 79 50 F: ++41 41 618 79 63 <a href="mailto:kantonsgericht@nw.ch">kantonsgericht@nw.ch</a>
Obwalden (OW)	d	Kantonsgericht Obwalden Postfach 1260 6061 Sarnen	T: ++41 41 666 62 35 F: ++41 41 660 82 86
Schaffhausen (SH)	d	Obergericht des Kantons Schaffhausen Postfach 568 8201 Schaffhausen	T: ++41 52 632 74 22 F: ++41 52 632 78 36 <a href="mailto:obergericht@ktsh.ch">obergericht@ktsh.ch</a>
Schwyz (SZ)	d	Kantonsgericht Schwyz Kollegiumstrasse 28 Postfach 2265 6431 Schwyz	T: ++41 41 819 11 24 F: ++41 41 819 26 50 <a href="mailto:kgsz@tic.ch">kgsz@tic.ch</a>
Solothurn (SO)	d	Obergericht des Kantons Solothurn Zivilkammer Amtshaus 1 4502 Solothurn	T: ++41 32 627 73 24 F: ++41 32 627 22 98 <a href="mailto:rechtshilfe@bd.so.ch">rechtshilfe@bd.so.ch</a>
St. Gallen (SG)	d	Kantonsgericht St. Gallen Klosterhof 1 9001 St. Gallen	T: ++41 71 229 40 63 F: ++41 71 229 37 87 <a href="mailto:rechtshilfe.kgka@sg.ch">rechtshilfe.kgka@sg.ch</a>
Thurgau (TG)	d	Obergericht des Kantons Thurgau Promenadenstrasse 12 8500 Frauenfeld	T: ++41 52 724 18 18 F: ++41 52 724 18 24
Ticino (TI)	i	Tribunale di appello via Pretorio 16 6901 Lugano	T: ++41 91 815 54 71 F: ++41 91 815 56 02 <a href="mailto:di-ta.rogatorie@ti.ch">di-ta.rogatorie@ti.ch</a>
Uri (UR)	d	Obergericht des Kantons Uri Rathausplatz 2 Postfach 6460 Altdorf UR 1	T: ++41 41 875 22 67 F: ++41 41 875 22 77 <a href="mailto:obergericht@ur.ch">obergericht@ur.ch</a>
Valais (VS)	f/d	Tribunal cantonal Palais de Justice 1950 Sion 2	T: ++41 27 606 53 00 F: ++41 27 606 53 01 <a href="mailto:tcsg@jus.vs.ch">tcsg@jus.vs.ch</a>
Vaud (VD)	f	Tribunal cantonal	T: ++41 21 316 15 11

		Palais de justice de l'Hermitage Route du Signal 8 1014 Lausanne ADM cant VD	F: ++41 21 316 13 28 <a href="mailto:info.entraide-judiciaire@vd.ch">info.entraide-judiciaire@vd.ch</a>
Zug (ZG)	d	Obergericht des Kantons Zug Rechtshilfe 6300 Zug	T: ++41 41 728 52 50 F: ++41 41 728 52 59 <a href="mailto:info.og@rech.zg.ch">info.og@rech.zg.ch</a>
Zürich (ZH)	d	Obergericht des Kantons Zürich Rechtshilfe Postfach Hirschengraben 15 8021 Zürich	T: ++41 44 257 91 91 F: ++41 44 257 92 65 <a href="mailto:rechtshilfe@gerichte-zh.ch">rechtshilfe@gerichte-zh.ch</a>

1) Amtssprache(n) / Langues(s) officielle(s) / Lingue ufficiali / Official Language(s):

d = deutsch / allemand / tedesco / german;

f = französisch / français / francese / french;

i = italienisch / italien / italiano / italian

#### Elorge

Pour déterminer l'autorité centrale suisse compétente à raison du lieu à laquelle les demandes peuvent être adressées directement, la banque de données des localités et tribunaux suisses peut être consultée en ligne à l'adresse suivante:

⇒ <http://www.elorge.admin.ch/>

The competent cantonal Central Authority to whom a request may be addressed can be ascertained on-line at the Databank of Swiss Localities and Courts at the following address:

⇒ <http://www.elorge.admin.ch/>

Dernière modification: 23.06.2008

Office fédéral de la justice (OFJ)

[Informations juridiques](#) | [Contact](#)

# Exhibit 4



UNITED STATES  
**SECURITIES AND EXCHANGE COMMISSION**  
100 "F" Street, N.E.  
WASHINGTON, D.C. 20549-4010

DIVISION OF  
ENFORCEMENT

Jeffery T. Infelise  
Assistant Chief Litigation Counsel  
Telephone: (202) 551-4904  
Facsimile: (202) 772-9245

July 28, 2008

**Via E-Mail and FedEx**

Mr. Alan Brudner, Esq.  
UBS Securities, LLC  
Head of Litigation  
299 Park Ave.  
New York, NY 10171

Re: S.E.C. v. One or More Unknown Persons 08-cv-6609

Dear Mr. Brudner:

Enclosed with this letter are copies of the complaint and summons in the subject case. On July 25, 2008, the Honorable Alvin K. Hellerstein granted the Commission's request for an *ex parte* Temporary Restraining Order to, among other things, freeze the assets of the one or more unknown purchasers of common stock of DRS Technologies and American Power Conversion Corporation. These purchases were made through the omnibus account known as UBSL A/C Exchange Traded Derivative Account # 452-6020300, and cleared through UBS Securities LLC. The Court's Order was previously provided to you on July 28, 2008.

The Court's Order provides that service of the Order and the complaint and all documents filed in support thereof may be served upon UBS Securities LLC as an agent of the unknown purchasers. Therefore, please take action to provide copies of the attached complaint and summons to the unknown purchasers.

If you have any further questions, please feel free to contact me at 202-551-4904 or at [infelisej@sec.gov](mailto:infelisej@sec.gov). Thank you again for your assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Jeffery T. Infelise".

Jeffery T. Infelise  
Assistant Chief Litigation Counsel

**Encl.**

**cc: Ms. Judith Romaine  
Executive Director, Compliance  
UBS Securities LLC  
201 Tresser Blvd.  
Stamford, CT 06901**